

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

USROF IV LEGAL TITLE TRUST 2015-1,  
BY U.S. BANK NATIONAL  
ASSOCIATION, AS LEGAL TITLE  
TRUSTEE,

Plaintiff,

V.

SPINNAKER POINT AVENUE TRUST;  
RIVER GLIDER AVENUE TRUST;  
SATICOY BAY, LLC SERIES 5982  
SPINNAKER POINT AVENUE;  
MOUNTAIN GATE AT SUNRISE  
MOUNTAIN HOMEOWNERS'  
ASSOCIATION; ABSOLUTE  
COLLECTION SERVICES, LLC,

Defendant.

SATICOY BAY, LLC SERIES 5982  
SPINNAKER POINT AVENUE,

Counterclaimant,

VS.

USROF IV LEGAL TITLE TRUST 2015-1,  
BY U.S. BANK NATIONAL  
ASSOCIATION, AS LEGAL TITLE  
TRUSTEE, LLC,

## Counter-Defendant

) Case No.: 2:17-cv-00445-APG-VCF-  
) EJY

**) FIRST STIPULATION AND ORDER  
) TO EXTEND THE DEADLINE FOR  
) TRUSTEE TO FILE ITS REPLY  
) BRIEF IN SUPPORT OF ITS  
) MOTION FOR  
) RECONSIDERATION**

) **[FIRST REQUEST]**

**Current Reply Deadline: March 21, 2022**

**) Proposed Deadline: March 25, 2022**

Plaintiff/Counter-Defendant, PROF-2013-M4-Legal Title Trust IV, by U.S. Bank National Association, (“Trustee”), and Defendants and Counterclaimants Satcoy Bay, LLC Series 5982 and Spinnaker Point Avenue (“Defendants”) (collectively, the “Parties”), by their attorneys, hereby submit the following Stipulation and Order to Continue the March 21, 2022 deadline for Trustee to File its Reply Brief in support of its Motion for Reconsideration to March 25, 2022 pursuant to LR IA 6-1 and LR 7-1 (the “Stipulation”). This Stipulation is submitted in good faith and not intended to cause any delay to this Court.

### RECITALS

WHEREAS, Trustee’s predecessor-in-interest filed the instant action on February 9, 2017. *See* Dkt. 1.

WHEREAS, on August 22, 2017 Trustee’s predecessor-in-interest filed an Amended Complaint asserting the following claims: (1) quiet title; (2) declaratory relief; (3) permanent and preliminary injunction; and (5) unjust enrichment (the “FAC”). *See* Dkt. 27.

WHEREAS, on October 10, 2019, Defendants filed their Answer and Affirmative Defenses to the FAC and filed the following counterclaims against the Trustee: (1) quiet title; and (2) declaratory relief. *See* Dkt. 49.

WHEREAS, on February 28, 2022, Trustee filed its Motion for Reconsideration concerning this Court’s prior Order granting Defendants’ Motion to Dismiss in light of the recent decision in *U.S. Bank v. Thunder Props., Inc.*, Supreme Court Case No. 8112 (the “Motion to Reconsider”).

WHEREAS, on March 14, 2022, Defendants filed their Opposition to Trustee’s Motion to Reconsider.

WHEREAS, Trustee’s Reply Brief in support of its Motion to Reconsider is currently due no later than March 21, 2022.

WHEREAS, an unexpected power outage resulted in Trustee’s counsel needing a brief five-day extension to file its Reply in support of its Motion to Reconsider.

WHEREAS, this Stipulation is submitted in good faith and not to cause unnecessary delay.

WHEREAS, counsel for Trustee contacted counsel for Defendants, who advised that

Defendants have no objection to the request.

***Agreement***

**NOW THEREFORE, IT IS HEREBY STIPULATED** by and between the Parties to this litigation as follows:

1. The March 21, 2022 deadline for Trustee to file its Reply Brief in Support of its Motion to Reconsider be extended to March 25, 2022.

Dated: March 17, 2022

**MAURICE WUTSCHER LLP**

/s/ Patrick J. Kane

Patrick J. Kane (*Pro Hac Vice*)  
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*Attorneys for Plaintiff/Counter-Defendant,  
U.S. Bank National Association as Legal  
Title Trustee on behalf of USROF IV Legal  
Title Trust 2015-1*

Dated: March 17, 2022

**ROGER P. CROTEAU &  
ASSOCIATES**

/s/ Christopher L. Benner

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*Attorneys for Defendant and  
Counterclaimants,*

*SPINNAKER POINT AVENUE TRUST,  
RIVER GLIDER AVENUE TRUST, and  
SATICOY BAY, LLC SERIES 5982  
SPINNAKER POINT AVENUE*

**Signature Attestation**

I hereby attest under the penalty of perjury that on March 17, 2022, counsel for defendants approved this Stipulation and gave me permission to electronically sign this Stipulation on his behalf.

/s/ Patrick J. Kane  
Patrick Kane

**ORDER**

**IT IS SO ORDERED.**

Dated this 17 day of March 2022.

  
UNITED STATES MAGISTRATE JUDGE

**Certificate of Service**

I certify that on March 17, 2022, a copy of the foregoing was filed and served electronically in the ECF system. Notice of this filing will be sent to the parties of record by operation of the Court's electronic filing system. Parties may access this filing through the Court's system:

/s/ Patrick J. Kane  
Patrick Kane